

Translation

PATENT COOPERATION TREATY

PCT/EP2003/012591



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference K 60 473/7ch	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/EP2003/012591	International filing date (day/month/year) 11 November 2003 (11.11.2003)	Priority date (day/month/year) 12 November 2002 (12.11.2002)
International Patent Classification (IPC) or national classification and IPC C09J 7/00		
Applicant GIESECKE & DEVRIENT GMBH et al.		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>8</u> sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand 11 May 2004 (11.05.2004)	Date of completion of this report 03 December 2004 (03.12.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/012591

B x No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ The international application as originally filed/furnished

☒ the description:

pages _____ 1-15 _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

pages _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* _____ 1-36 _____ received by this Authority on 19 November 2004 (19.11.2004)

pages* _____ received by this Authority on _____

☒ the drawings:

pages _____ 1-5 _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/12591

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement			
Novelty (N)	Claims	1-36	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-36	NO
Industrial applicability (IA)	Claims	1-36	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents:

- D1: WO 03/044605 A (TESA SCRIBOS GMBH; EML EUROP MEDIA LAB GMBH (DE)), 30 May 2003 (2003-05-30)
- D2: DE 101 09 964 A (SCHREINER GMBH & CO KG), 12 September 2002 (2002-09-12)
- D3: DE 201 10 188 U (VKV GMBH & CO CONSULTING), 31 October 2002 (2002-10-31)
- D4: DE 195 29 728 C (TRAUTWEIN GMBH & CO), 24 October 1996 (1996-10-24)
- D5: PATENT ABSTRACTS OF JAPAN, Vol. 0165, No. 10 (M-1328), 21 October 1992 (1992-10-21) & JP 04 189194 A (SHINKOU KAGAKU KOUGIYOU KK; OTHERS: 01), 7 July 1992 (1992-07-07)
- D6: US-A-5 281 474 (MATSUZAKI MORIO ET AL), 25 January 1994 (1994-01-25)

1. Amendments (PCT Article 34(2) (b), second sentence)

No clear basis is disclosed in the originally filed application for the features added to the newly submitted independent claim, in lines 5-7 (which correspond to the second hyphenated paragraph in the claim); these features thus contravene PCT Article 34(2) (b), second sentence,

which stipulates that amendments must not go beyond the disclosure of the originally filed application.

The applicant is requested to submit an amended set of claims in a possible regional European phase, taking into account this objection. The most recently submitted set of claims, which was submitted with the letter of 13 August 2004, is used for the purpose of preliminary international examination.

2. Novelty (PCT Article 33(2))

The present amended claim 1 discloses an arrangement that bears information to be secured and comprising a security sticker and an object having a larger surface than the sticker, characterised by an additional layer in the form of a paint or lacquer layer arranged on the object, the additional layer being arranged between the object and the information to be protected, the adhesive power of the additional layer to the sticker being at least in some portions higher than the adhesive power of the additional layer to the object.

None of the citations D2 to D6 discloses this type of arrangement having all the technical features defined in the present claim 1. The subject matter of the application is therefore novel over D2 to D6.

3. Inventive step (PCT Article 33(3))

Document D2 appears to be the document sharing the most technical features with the subject matter of the application. The subject matter of claim 1 differs from that prior art document only by the feature that the adhesive power of the additional layer to the sticker must

be higher, at least in some portions, than the adhesive power of the additional layer to the object.

However, this differentiating feature does not appear to have any unexpected technical effect. The objective problem addressed by the present application thus consists in providing an alternative arrangement for protecting information to be secured against undesirable manipulations.

A person skilled in the relevant technical field, however, would regard it as self-evident to set the adhesive power of the additional layer to the sticker at least in some portions at a higher level than the adhesive force between the additional layer and the object in order to solve the problem in question, and thus to achieve an enhanced protection of the information to be secured against undesirable manipulations. It was therefore obvious for a person skilled in the art before the priority date of the present application to solve the above-mentioned objective problem by means of his normal knowledge and abilities on the basis of the disclosure of D2.

Consequently, the subject matter of the present application does not involve an inventive step in relation to document D2.

The applicant is invited to submit new claims or to put forth suitable arguments which take into account the above-mentioned objection.

All inadmissible extensions of the application should be avoided.